Water Resources Coordinating Council Flood Plain Subcommittee - Survey

Group 1: Flood Plain Management

		Support	Oppose	Neutral	Top Three*
1	Regulate to .2% flood	☐	☐	☐	☐
2	Prohibit floodway development	☐	☐	☐	☐
3	Restrict elevation to 3 vertical ft.	☐	☐	☐	☐
4	Landward side of levee not in .2% flood plain	☐	☐	☐	☐
5	Levees primarily to protect existing development	☐	☐	☐	☐
6	Support Corps of Engineers Alternative H	☐	☐	☐	☐
7	State grant program for levee certification	☐	☐	☐	☐
8	State grant program to improve existing levees	☐	☐	☐	☐
9	State grant program to develop flood plain management plans	☐	☐	☐	☐
10	Form Iowa chapter of Association of State Flood Plain Managers	☐	☐	☐	☐
11	Fund public education by ISU Extension on flood plains and risks	☐	☐	☐	☐
12	Locate critical facilities outside .2% flood plain when practical	☐	☐	☐	☐

Group 2: Lowland Focus

13	Fund watershed project planning & damage reduction projects	☐	☐	☐	☐
14	Interagency assessment & planning re floodplain investments	☐	☐	☐	☐
15	Interagency program coordination by WRCC	☐	☐	☐	☐
16	Reconnect streams and rivers to floodplains and floodways	☐	☐	☐	☐
17	Authorize easement purchase for planned flood risk reduction projects	☐	☐	☐	☐
18	Levee modification or removal w/ indemnification for farmland used as retention	☐	☐	☐	☐
19	Integrate multi-purpose wetlands into watersheds	☐	☐	☐	☐
20	Seasonal retention of water in tile drained fields	☐	☐	☐	☐
21	Develop watershed project with infiltration focus	☐	☐	☐	☐
22	Enhance existing federal water & conservation programs w/ state matching funds	☐	☐	☐	☐
23	Conduct cooperative pilot project to reduce scour erosion and sand deposition	☐	☐	☐	☐
24	Include floodplain or soils information in real estate disclosure	☐	☐	☐	☐
25	Use ISU's I-Farm tool to support conservation and business planning	☐	☐	☐	☐

Group 3: Upland Focus

26	Support prior water recommendations (EXHBT 3)	☐	☐	☐	☐
27	Fund pilot project for flood reduction	☐	☐	☐	☐
28	Manage existing water programs for flood risk	☐	☐	☐	☐
29	Public floodplain education through ISU Extension	☐	☐	☐	☐
30	Conduct hydrological tiling study	☐	☐	☐	☐
31	Develop soil moisture monitoring network	☐	☐	☐	☐
32	Use NRCS Soil Conditioning Index	☐	☐	☐	☐
33	Media campaign on watershed issues	☐	☐	☐	☐
34	Analyze storm frequency for prediction accuracy	☐	☐	☐	☐
35	Reassess conservation practices criteria	☐	☐	☐	☐
36	Increase funding for research and field staff	☐	☐	☐	☐
37	Recommend multi-year funding for Iowa Flood Center	☐	☐	☐	☐
38	Possible funding source if referendum passes & sales tax increased	☐	☐	☐	☐
39	Possible funding source from water fees	☐	☐	☐	☐

Group 4: Stormwater

40	Phase in statewide stormwater standards consistent w/ state manual	☐	☐	☐	☐
41	Require New & Amend Renewal NPDES Permits to include best stormwater practices	☐	☐	☐	☐
42	Increase state government's usage of Iowa Stormwater Management Manual	☐	☐	☐	☐
43	Increase stormwater funding	☐	☐	☐	☐
44	Authorize cities to collect stormwater connection fee	☐	☐	☐	☐
45	Authorize cities & counties a fee system and credit program for impervious surfaces	☐	☐	☐	☐
46	Allow Soil & Water Conservation Districts to create watershed districts w/ tax authority	☐	☐	☐	☐
47	Support and enhance existing educational efforts	☐	☐	☐	☐
48	Conduct a hydrological tiling study	☐	☐	☐	☐

Recommendations that should be added:

Examples of Best Practices in Iowa that should be replicated in other areas of the state:

Funding Recommendations:

Additional Comments:

Please complete and submit by October 8, 2009

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EXHIBIT B – SURVEY FEEDBACK AND ANALYSIS

Subcommittee of the Water Resources Coordinating Council
To Focus on Recommendations required by HF756
(WRCC Established under Iowa Code Chapter 466B)

SURVEY FEEDBACK

This chart demonstrates the level of support, opposition, or neutrality indicated by respondents to a public survey regarding draft flood plain management recommendations being considered by the Water Resources Coordinating Council for submission to the Governor and General Assembly by November 15, 2009.

***NOTE: Respondents were asked to identify their top three priorities within each of four groupings of recommendations. Most respondents marked issues that they supported as priorities, but several prioritized an item they opposed.**

	Group 1: Flood Plain Management	**Support**	**Oppose**	**Neutral**	***Top Three**
1	Regulate to .2% flood	36	21	13	14
2	Prohibit floodway development	47	20	7	36
3	Restrict elevation to 3 vertical ft.	34	19	16	8
4	Landward side of levee not in .2% flood plain	34	14	17	2
5	Levees primarily to protect existing development	45	7	16	3
6	Support Corps of Engineers Alternative H	29	5	33	4
7	State grant program for levee certification	51	3	16	4
8	State grant program to improve existing levees	48	9	11	6
9	State grant program to develop flood plain management plans	56	5	10	10
10	Form Iowa chapter of Association of State Flood Plain Managers	44	8	16	8
11	Fund public education by ISU Extension on flood plains and risks	41	8	16	7
12	Locate critical facilities outside .2% flood plain when practical	51	3	13	12
	Group 2: Lowland Focus				
13	Fund watershed project planning & damage reduction projects	58	2	8	11
14	Interagency assessment & planning re flood plain investments	43	7	16	8
15	Interagency program coordination by WRCC	44	9	21	4
16	Reconnect streams and rivers to flood plains and floodways	35	16	15	4
17	Authorize easement purchase for planned flood risk reduction projects	50	9	10	10
18	Levee modification or removal w/ indemnification for farmland used as retention	38	13	10	10
19	Integrate multi-purpose wetlands into watersheds	48	4	11	11
20	Seasonal retention of water in tile drained fields	41	12	12	9
21	Develop watershed project with infiltration focus	47	3	13	7
22	Enhance existing federal water & conservation programs w/ state matching funds	45	6	14	4

23	Conduct cooperative pilot project to reduce scour erosion and sand deposition	38	7	17	4
24	Include flood plain or soils information in real estate disclosure	47	5	13	8
25	Use ISU's I-Farm tool to support conservation & business planning	43	2	25	2
	Group 3: Upland Focus				
26	Support prior water recommendations (EXHBT 3)	34	7	23	7
27	Fund pilot project for flood reduction	46	5	12	18
28	Manage existing water programs for flood risk	48	3	17	9
29	Public flood plain education through ISU Extension	44	5	17	8
30	Conduct hydrological tiling study	49	6	11	16
31	Develop soil moisture monitoring network	32	5	23	0
32	Use NRCS Soil Conditioning Index	25	4	29	1
33	Media campaign on watershed issues	42	7	20	6
34	Analyze storm frequency for prediction accuracy	48	5	15	10
35	Reassess conservation practices criteria	41	3	19	9
36	Increase funding for research and field staff	39	3	25	3
37	Recommend multi-year funding for Iowa Flood Center	28	6	17	2
38	Possible funding source if referendum passes & sales tax increased	31	16	19	4
39	Possible funding source from water fees	26	16	19	2
	Group 4: Stormwater				
40	Phase in statewide stormwater standards consistent w/ state manual	33	10	15	6
41	Require New & Amend Renewal NPDES Permits to include best stormwater practices	35	15	16	5
42	Increase state government's usage of Iowa Stormwater Management Manual	49	8	12	4
43	Increase stormwater funding	45	9	11	13
44	Authorize cities to collect stormwater connection fee	45	12	12	8
45	Authorize cities & counties a fee system and credit program for impervious surfaces	46	14	12	11
46	Allow Soil & Water Conservation Districts to create watershed districts w/ tax authority	36	18	14	9
47	Support and enhance existing educational efforts	58	4	5	5
48	Conduct a hydrological tiling study	45	7	16	7

EXHIBIT B – SURVEY FEEDBACK AND ANALYSIS

The following comments were provided by respondents to a public survey regarding draft flood plain management recommendations being considered by the Water Resources Coordinating Council for submission to the Governor and General Assembly by November 15, 2009.

Recommendations that should be added:

Develop policies that prevent flooding. Hold farmers and developers financially accountable for practices that damage the environment.

Take whatever FEMA standards are and make our triply more stringent.

Exempt critical infrastructure: Energy generation and delivery infrastructure along with water, transportation and other utilities should be exempted from the expansion of flood plain regulation. Defining specific infrastructure would significantly clarify the intent of the critical infrastructure recommendation.
Repair and re-use: MidAmerican is concerned about regulatory interpretation that prevent the regular maintenance or emergency reconstruction of infrastructure in the flood plain and floodways. Communities need energy service, both natural gas and electric, to recover from disaster and to support other critical infrastructure like drinking water and transportation.
Study first, then act: MidAmerican believes that comprehensive review of the proposed .2% flood levels and floodways should occur before any expansion of flood plain regulation. The present 30-year-old FEMA flood map and hydrologic models are not adequate to make informed decisions. Investment in accurate modeling and mapping is necessary before any legislative.

Current homes that meet the 100 year flood plain elevation need to be grandfathered in when increasing to the 500 year standard. Fill that redirects or inhibits the flow of flood water should be prohibited.

Encourage the use of Rain Gardens and Rain Barrels in urban areas.

Current NPDES requirements pertain solely to construction sites. Much improvement is needed in the Ag industry in regards to protection from erosion… a stream buffering requirement would go a long way in reducing erosion from surface run-off as well as allowing stream banks to re-stabilize.

Existing local government agencies and state and federal regulatory agencies should work together to address flood plain and floodway issues – like they did years ago. Where the no till practice are implemented this has been corrected (infiltration has increased from .25 in per 30 minutes to .5 in 7 minutes). This was part of a watershed study on 9600 acres in southern Black Hawk County (96% row crop)
More emphasis on no till practices should be part of the farm program.

In Black Hawk County an estimated 80% of the land is in cropland and the farming practices (removal of fence row, filter areas along streams) has changed the rural runoff by a factor of 400%

Empower and develop local-led watershed districts. (Small, neighborhood working with neighborhoods) Encourage stewardship.

Improve efficiency in permitting process for storm water and flood protection projects. Clarify watershed definition. There is wide variation in perception from a very small watershed to the ultimate Mississippi drainage system.

Bring all drainage districts into any planning with a standardized blue print of directions. For standardized drainage district action.
Review of processed that constrain positive development - Example IDNR $.25 per ton fee for removal of sand from river channels. I'm sure there are more examples where our police s are counterproductive.

Strict guidelines for cities to follow mitigate flood risk.
If development is allowed in a flood plain and way (which I am 100% against) then we need to restrict the fill.
Fill should not be allowed in flood plain unless it comes from within and plans for development should be required to have 0 negative effects on neighbors. We need to watch out for today and future generations.

No more unfunded mandates. Small cities cannot afford them.

Under Flood plain Management, I would like to see "Assess/Evaluate Existing Flood Plain Management". Currently, there is a varying ability of small cities to "do a good job" effectively enforcing flood plain regulations. Larger communities do well, but I have concerns that we are not doing as well with the existing regulations in smaller communities.

We need better field drainage to not flood towns we need better protection and not have to bare the expense that the county should pay for.

Sand needs to be taken out of the rivers.

I do not understand all the questions on the survey, or in some cases, just what they mean. Some are pretty vague.

Any expenditures of runoff control north of I-80 would be the best answer to a complex problem.

Allow greater funding for rain gardens, returning streams to original state (reversing the channelization), and funding for upland ponds to slow water flow.

It has been a few years, but last I looked there is an Iowa LAW, legalizing the straightening of natural water ways; the tributaries and Creeks / Streams of natural drainage to the greater flow. This should be abolished. Educate the attributes of meander. As a child I observed concrete tunnels (multi-block-long culverts) created where Natural tributaries, those little streams that may dry by late summer or early fall, ran; effectively main lining the water to a greater flowing stream, and eliminating any chance of infiltration along what was its natural course. A side effect being a greater total harsh flow, and for those who bought houses built along what had been the natural stream; water in their basement,

_frequently. This practice continues today, as some think it esthetically and commercially better. Advised planting of Native grasses even along the now tunneled urban tributaries would surely help, as the natural drainage still migrates to what once was its course; runs off and/or collects and stands. Advertise examples of pleasantly peoplized (read neatly manicured) banks and wooded / vegetated areas along these tributaries, which some would demean with the term ditch or gully. There was a flurry of media attention on '*Wetlands'* a few years ago; seemed almost a buzz phrase for a few weeks. Within just a few months I observed the last public mini-wetland in my town, be piped direct to the nearby Creek; for mowing *convenience* of a city park. Rare would it be that I believe a wetland can be 'created'. As I understand it, the water essentially comes subteranean to a true wetland. Education may best start with the youth, but adults on city councils, parks and rec boards (though mostly sport oriented), Utility people and such, need to become better educated to the better bigger picture

The LiDAR topology mapping needs to done ASAP for the Cedar River Watershed. One reason is to have this data to pick the best sites for demonstration projects.

I am Chris Ball Louisa county supervisor . We the board are very interested in the final version of the WRCC recommendations.In Louisa county we need certified levee s and possibly 30% of our county is affected by the flood plan rules proposed, thanks

Work Group 1: #2 Sounds like this constitutes a “taking.” Mandate good flood insurance rather than restrictions. Development and agriculture in these areas is vital to tax base. #5 Agricultural areas and areas near other major developments that have the infrastructure to expand or grow should be viewed with importance.
Work Group 2: #16 Work with existing channels, strengthen programs listed in #22 to improve situations. Better have a great new funding source to modify all of the infrastructure suggested.
Work Group 3: $30 Tile acts like an overflow pipe in a pond. Have seen worse erosion due to surface runoff in poorly drained locations. Tile allows slow/steady release of water. Might consider erosion control/energy dissipation at outlet of tile. $35 Base on recent and past damaging events-not dreamed up, unprovable theories.
Work Group #4: #46 NRCS should not be given taxing authority. NRCS has many other important roles though. This effort should be done in partnership with landowners, not by force. Most efforts should be by grants or outside funding with minimal local matches.

Storage of hazardous materials in t500-year flood plain should be restricted. DNR measured high concentration of many item (fertilizers, pesticides, fuel, LP tanks, etc. in flood waters). If state is serious about water quality improvements, we begin to restrict storage of hazardous materials in the 500-year flood plain.
Portions of properties in the 500-year flood plain should not be platted for subdivision development. This should be a statewide law that would prevent flood plain development, and not left to each locality.

Examples of Best Practices in Iowa that should be replicated in other areas of the state:

Implement what Wayne Peterson recommends. Stop CAFO’s, make agriculture sustainable.
Slow down water going into title drainage with blind intakes, etc.

Charlotte, North Carolina

The State of Iowa should develop inundation mapping tools to the greatest extent possible. While not in use in Iowa, these technological tools were very valuable in recent North Dakota flooding along the Red River. Accurate flooding forecasts may not prevent flood damage but can significantly improve the decision-making for both emergency response and mitigation.

It is difficult to locate such practice within the City of Cedar Rapids, the mindset must change. There has been a lot of talk but no action.

No till farming be recognized for its major change in runoff.

Cut all tiling in fields. This is something that State of Ohio is doing, charge fees per linear ft. of tile.

Study Palo northern area.

Bring all drainage districts into a coordinated – standardized water and tile management plan. Just like building planning and zoning.

Retention ponds – lakes for storage of runoff and manage for flood control not fish and wildlife or recreation boating or shoreline residential or business development.

Cedar Falls is just now starting to look at revising ordinance for flood plain development/fill. Long overdue since the worse disaster to hit us was over a year ago.

Let quarry or cement company prod (?) river at no cost.

Ponds and holding areas again north of I-80

Not in Iowa, but Grand Forks saved themselves this year from another flood by implementing their plan quickly (less than 10 years)

Some good WIRB projects out there

Funding Recommendations:

Move funding to programs that teach people responsible ways to farm and help them implement practices that prevent flooding, soil erosion and water pollution. Teach homeowners how to landscape in sustainable ways.

Take all casino profits and apply them to water quality issues.

New housing developments need to have impervious driveways and streets. Limit street width to 26ft. Rain water retention.

Use funding from the I Jobs, Federal stimulus, Federal grants and Iowa Gaming Commission.

Storm water fees based on impervious areas would really get people thinking and pushing for BMPs.

Not for profit or faith-based organizations to assist prior to disasters and after disasters. Prior issues to assist in improving of conditions and goals of flood issues management. After disaster issues assist victims in restoration and/or flood mitigation issues rise up home/business. Assist victims with unmet/housing issues that do not qualify for regardless of reasons. Donations through employees or industries or bank draft/EFT AC 4 etc.

Incentive payment for farms with no till practices.

Increase sales tax. Fees from farmers that continue to tile out their fields.

It's a difficult time to find additional sources of revenue. Perhaps the appropriate answer is a re-prioritization of some conservation dollars (Fed and State) as well as DOT and rural economic development.

Use existing funds for programs with little value.

Let land owner recognize true land value of marginal lands – and be responsible if they over pay for land.

Watershed tax based on runoff.

If cities drainage districts are faced with mandates the foundation for compliance should be provided.

Important enough to fund form anywhere. Basically need to find the funds and move it.

The people and business in the flood plain need to pay for cost of preventing flooding of their home or business.

Charge min per resident $5.00 to belong to watershed group, US funding to buy insurance to cover damage to farm fields used as temp [sic]. (?)

Let quarries take sand out of river free of charge.

Make sure that you're sure you want this and then make double sure you don't. Starve your new baby, like you always do.

US Sec of Ag just proclaimed 342 miles for the upper Mississippi.

FEMA HMGP grants may be option if they expand that program. I don't want more state sales taxes, income taxes, and property taxes.

Additional Comments:

- # 23 Scale/scope of proposed pilot project?
- #24 Disclaimers should be required, pre-purchase not as closing

- #39 Municipal water customers – i.e. residents and businesses already pay sales tax and water purchased from city at full retail %

We need to change our priorities and practices! Look tong term at ways to keep development out of flood plains, mitigate climate change, be responsible so we conserve soil, purify water and pass the earth on to our children and grandchildren in good shape, rather than exploit it for short term profit.

No new levies on agricultural land. No new development in the flood plain. Areas that flooded in Cedar Rapids should become green space. Give them aid only to rebuild outside the flood plain. No assistance for stream bank stabilization it just sends the problem downstream. Lucrative conservative programs are available for farmers to enroll flood prove areas to in CRP native grasses and wetlands. They have options, no more levies!

Move the hog back about 100 feet from nearest small steam.

I would like to know what improvements have been made from the 2001, 2003, and 2007 recommendations.

There needs to be some studies done on how many acres and citizens of Iowa this will affect. If some of these recommendations are implemented, thousands of Iowa will leave the state and several tax dollars will be lost. Do you realize how many flood plains there are in Iowa? The cities of Des Moines, Cedar Rapids, Iowa City, and Davenport have areas in flood plains. Your committee only had one person representing levee and drainage issues. More of the state needs to be informed before this is voted on. There is no need to rush into such drastic changes.

We answered these questions the best of our ability, we found some unknowledgeable to us, and these are checked neutral.

Tile drainage increases the temporary storage volume in the soil providing for no till to function at its best. This also provides for deep root growth and maximum plant population which in turn reduces runoff.

I think an effort for support staff at the State level to assist with flood plain management after a disaster is important. Also the idea of a State association of flood plain managers would be a great addition and resource base = look at Missouri State Model.

Adopt and enforce Best Management practices on every farm state wide.

No regulation of flood plain until FEMA mapping is complete. No regulations shall be adopted through administrative rules. Any regulations must be through legislation!

This was a hard survey for me as I am not familiar with many of the specifics of the issues. I do know the levee system is crucial to our survival as a city and the surrounding area. It not only protects homes and family – it protects our livelihood and a way of life that set Iowa apart from all others.

Much of this is long overdue since the worst disaster to hit us was over a year ago. Another flood could come next year. Need to mandate strict guidelines for communities and enforce them.

If these items were a little less vague I may have answered them differently.

Have a pilot program for flood reduction in Palo, Iowa where the whole town was flooded.
The research and maps should be done before any regulations or projects are put in place.

I am very concerned about the flood plain requirements in the flood plain management section. My understanding is that flood plain maps for the State of Iowa are being redone but will not be completed for 5-7 years. How can we talk about regulating flood plain when we don't even know for certain where the flood plain is?

I did not comment on all areas since I spent all my time with Group 4: Storm Water. One comment I would have regulated on the .2% flood would be great, in some cases that is a significant impact to properties and the property value.

People in flood plains, or any other high risk areas, should receive new FEMA, State, or other Federal help one time to replace homes. Only one time. After that, hey are responsible for themselves. This will serve the same purpose as many regulations and is much easier and less expensive to implement than many new regulations. I live in an area that was flooded in 2008. Half of the people have moved out, the other have flood insurance. If anyone did try to build a new home here, no lender would ever loan them money if they didn't carry flood insurance.

We've been working on these ideas in Palo, with the UI Flood Center. I see Witold [?] used our information in a presentation to group 3. We would REALLY like to see our Dry Creek Watershed used a pilot project per item #27. Results would be publicized and propagated to other communities and watersheds in the Cedar River and other watersheds. We'd like to see some progress made yet in 2009, so the effects could be monitored in the spring.

Your committee had way too many single minded [sic] personal on them protecting their jobs! Bottom line is, does the view and steam control up or do we control the water for out benefit.

Should the general public be filling out this survey?

Let's solve these on individual property levels as much as possible rather than one or more big dinosaurs state programs.

We've been working on these ideas in Palo, with the UI Flood Center. I see Witold used our information in a presentation into group 3. We would really like to see our Dry Creek Watershed used a pilot project per item #27. Results would be publicized and propagated to other communities and watersheds in Cedar River and other watersheds. We'd like to see some more progress made yet in 2009, so the effects could be monitors in the spring.

Palo would REALLY like to see our Dry Creek Watershed used a pilot project per item #27. Results would be publicized and propagated to other communities and watersheds in the Cedar River and other watersheds. We'd like to see some progress made yet in 2009, so the effects could be monitored in the spring.

This needs more time, public input, & detail.

Comment Document: DES MOINES WATER WORKS

Water Resources Coordinating Council

Policy and Funding Recommendations

Public Hearing – October 6, 2009

House File 756 passed in the 2009 legislative session required the Water Resource Coordinating Council (WRCC) to submit policy and funding recommendations that promote a "watershed management approach to reduce the adverse effect of future flooding on this state's residents, businesses, communities, and soil and water quality." The WRCC, on June 13, 2009 identified four work groups to work on components of the recommendations required by HF756. This document provides formal comments by the Des Moines Water Works (DMWW) on the work groups recommendations.

DMWW found three central themes identified by each work group; watershed based management, planning, and education. These themes are strongly supported by DMWW, and essential actions needed for improving and protecting Iowa's water resources. Watershed management evaluates all aspects of a watershed system, by identifying, prioritizing, and implementing the appropriate mitigation. It brings urban and rural residents of a watershed together with a single purpose of protecting their families, homes, businesses, and the resources that drive their economic viability.

Watersheds are systems. Systems that consists of five components, hydrology, connectivity, biology, land forms, and water quality – one component alone cannot describe a watershed system; and, one practice alone cannot fix the system. There is a tendency to view the many components of a watershed as individual rather than interconnected parts of a complex system. This perspective is leading us to unrestrained use of surface and groundwater sources, even though these are two of the smallest components of water on earth.

DMWW supports additional funding for watershed planning. Developing comprehensive watershed plans, with multiple partners and supported at the local level should be the focus of this funding. Local watershed planning has been shown to be the most effective in improving and protecting Iowa's water resources, but funding for planning is many times non-existent.

DMWW also supports planning at the state level. The WRCC was conceived to address and coordinate all water resource programs, funding, and issues, thus allowing Iowans to get the best return on the investment of their tax dollars. It is imperative that we all recognize the important role the WRCC has in planning and managing Iowa's water and land resources for the future. We support the recommendation for the WRCC to move more quickly from information sharing to actual interagency coordination.

DMWW supports a coordinated multi-faceted approach to educate Iowans on the benefits and challenges of Iowa's water resources. The Water Quality Task Force recommended the state fund a marketing (education) campaign to increase Iowan's awareness of the immense value of our land and water resources. Flood risk should be a part of the total campaign. A sustainable campaign that encourages a public/private partnership and is somewhat patterned after a

program like Character Counts, a program that upon seeing six pillars of various colors, the majority of Iowa children instantaneously recognize.

WORKGROUP 1 – FLOOD PLAIN MANGEMENT

Flood plain Regulations

No comments

Flood Control Structures (Levees)

In some cases, as with DMWW, our position on the river necessitates a levee to protect the utility's critical infrastructure, but we also recognize there is a limit to the utilization of levees. The overuse of levees will cause further build-up and distribution of increased flows to our downstream neighbors. We agree that the state should consider a program of funding regular inspection and maintenance of approved levee systems to minimize breaching during a flood event, and that the use of any new levees be minimal and used only as a last resort.

Planning

(Comments included in introductory paragraphs)

Flood Risk Education

(Comments included in introductory paragraphs)

WORKGROUP 2 – LOWLAND FOCUS

Planning and Coordination

DMWW strongly supports the formal structure of the WRCC as the entity to develop a state water plan; a plan that addresses and coordinates all water resource programs, funding, and issues. It is imperative that state leaders recognize the important role the WRCC has in planning and managing Iowa's water and land resources for the future. We support the recommendation for the WRCC to move more quickly from information sharing to actual interagency coordination.

Non-Structural

DMWW supports the re-design of Iowa's landscape to better reflect the benefits of the past when precipitation remained on the land to percolate through the soil, meander in rivers and streams and linger in natural wetlands. The

average flow of the Des Moines River in Des Moines has more than doubled since gauging began in 1915 (USGS-Attachment 1). Since areas upstream of Des Moines are almost entirely rural, the increased discharge attributable to urban development and impervious surfaces is minimal. Rather, it must be due to landscape and hydrological modifications in the watershed coupled with increased levels of precipitation and precipitation events. We also know precipitation levels have not doubled since 1915, a logical conclusion is that landscape and hydrological changes are important factors in managing Iowa's water and land resources.

Projects

As stated above DMWW supports projects that will re-design Iowa's landscape to allow precipitation to remain on the land where it falls. However, the hypothesis that improved drainage may reduce surface runoff, at least in some circumstances may be valid, but it is difficult to imagine that improved drainage will not increase sub-surface flows. The proposed wetland projects replace a drainage system that is not functioning to capacity and also increases the size of the drainage tile. This seems to translate to a more efficient system, better able to transport additional quantities of water and pollutants. Since the size of project wetlands will be determined by economic and sociological factors (as opposed to optimum water storage considerations) our conclusion is that enhanced sub-surface drainage will likely increase stream flows.

The reasoning that drier soils will be better able to absorb a precipitation event and reduce peak flows has some merit in some circumstances, but most increased flows that lead to wide spread flooding are the result of multiple rainfall events on consecutive days. Multiple rainfall events on consecutive days will fall on saturated soils which have lost their capacity to absorb and hold water, regardless of the efficacy of the tiling system. It seems that in this type of circumstance, enhanced drainage will do little to reduce peak flows and has the potential to increase them. The installation of these structures should be very limited, until the effect on flow and transport of contaminates are determined. It is critical that the "leaky system" in place today not be amplified.

Educate and Inform

(Comments included in introductory paragraphs)

WORK GROUP 3 – UPLAND FOCUS

Prior Studies

DMWW has participated in prior water resource task forces and supports the recommendations brought forth by the groups. (See EXHIBIT 2, Page 15, incorporated by reference into the recommendations of the WRCC)

Pilot/Demonstration Project

Again as stated above DMWW supports projects that will re-design Iowa's landscape to allow precipitation to remain on the land where it falls. DMWW supports the Iowa Flood Center as an entity to research and work with city, state, federal agencies and private organizations to identify policies, strategies, and practices that will minimize flooding and flood damage in Iowa.

The "distributed storage" concept proposed by the Iowa Flood Center (University of Iowa) and the multi-purpose wetlands proposed by Work Group 2 are two potential practices that may alleviate some flooding; but they must be incorporated into a comprehensive watershed plan that targets and prioritizes implementation strategies and practices. The Iowa Flood Center has the expertise in hydrology to determine the effects of both practices and to ensure size, design and location is appropriate for the watershed.

Education

(Comments included in introductory paragraphs)

DMWW strongly supports conducting hydrological tiling study to determine the impact of tile drainage on flows and groundwater recharge. We also support establishing a soil moisture monitoring network as it is critical to determine the effects of tile drainage in dry and saturated soils.

We agree with the work group that the reassessment of criteria for conservation practices is needed due to changes in weather patterns, cropping rotations, consolidation of livestock production (manure application) and other land use changes. (NRCS Field Office Technical Guide and Engineering Field Manual)

Resources

Watershed Planning - (Comments included in introductory paragraphs)

DMWW supports multi-year funding of the Iowa Flood Center as well as adding them as a participant of the WRCC.

DMWW supports all suggested sources of revenue included in the recommendations:

Referendum amending Iowa's constitution establishing a conservation fund, by which 3/8¢ of the next 1¢ sales tax increase will go for protecting natural resources

Sales tax collected on drinking water

Sales tax and/or recycle fee on bottled water

Work Group 4 - Stormwater

Utilize a Phase-in approach to Implement Statewide Stormwater Standards Consistent with the Iowa Stormwater Management Manual

DMWW supports the recommendations of Work Group 4 and strongly supports consideration of the hydrological tiling study as stated above.

Education

(Comments included in introductory paragraphs)

DMWW would like to thank the WRCC, the sub-committee and work groups for sharing their time and expertise in developing these recommendations. We would also like to thank the work groups for including drinking water utilities as stakeholders in their groups, because above all the public health of Iowans depends on accessible safe drinking water. I would like to publically thank our staff for participating in this important process. And finally, thank you for the opportunity to comment.

Linda Kinman

Research/Regulatory Coordinator

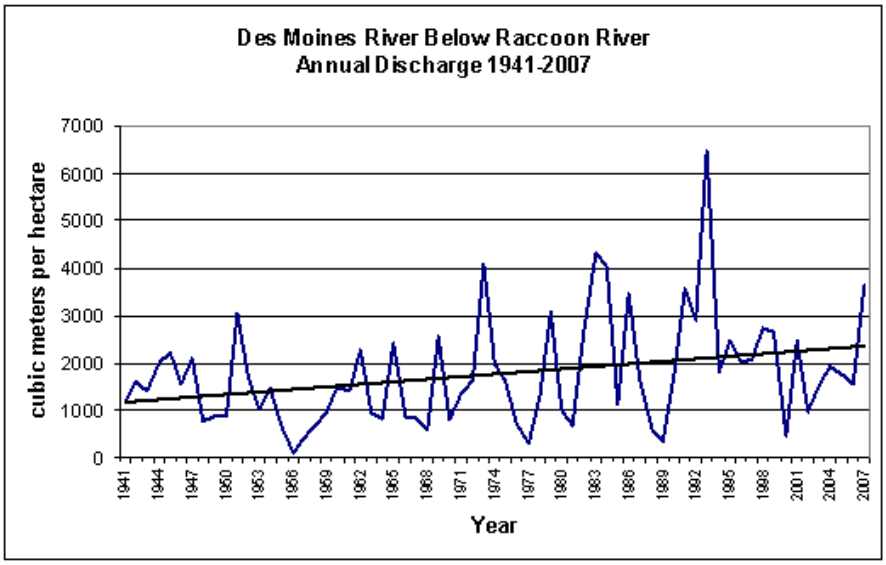
On behalf of DMWW staff:

Ted Corrigan, Director, Water Distribution (Work Group 1)
Dennis McAllister, Project Manager (Work Group 2)
Jennifer Puffer, Project Manager (Work Group 3)
Chris Jones, Ph.D., Laboratory Supervisor (Work Group 4)

EXHIBIT B – SURVEY FEEDBACK AND ANALYSIS

ATTACHMENTS

Attachment 1



THE CITY OF
DUBUQUE
Masterpiece on the Mississippi

Dubuque
All-America City
2007

TO: Michael Van Milligen, City Manager

FROM: Laura Carstens, Planning Services Manager

SUBJECT: City Position Statement on WRCC Recommendations regarding HF 756

DATE: September 29, 2009

INTRODUCTION
This memo transmits a recommended City position statement on State proposals for floodplain and stormwater management in regard to HF 756. This position statement was developed by Planning, Engineering, and Public Works staff.

BACKGROUND
The Water Resources Coordinating Council (WRCC) has been meeting to discuss changes to floodplain and stormwater management in Iowa. A WRCC subcommittee was created to address the requirements of HF 756, which requires the WRCC to submit funding and policy recommendations to the Governor and Legislature by November 15, 2009. The funding and policy recommendations are intended to reduce the impact of flooding on residents, businesses and water quality within the state of Iowa. The WRCC Subcommittee recommendation summaries dated September 18, 2009 are enclosed.

HF 756 directs the WRCC to examine additional flood plain regulation, wetlands, statewide stormwater management standards, conservation easements and other land management, agricultural conservation practices, pervious pavement, bioswales, and other urban conservation practices, and permanent or temporary water retention structures.

DISCUSSION
City staff has reviewed the proposed funding and policy recommendations and has the following comments regarding the proposed changes. The WRCC is holding public input sessions and City staff will attend one of these meetings to present the City of Dubuque's position on the proposed recommendations.

The recommendations developed by the WRCC subcommittee are divided into four work groups that include:

1. Floodplain management and regulation
2. Lowland focus
3. Upland focus
4. Stormwater

Work Group 1: Floodplain Management:
Work Group 1 focuses on floodplain management. The primary recommendation impacting communities is the first one listed. Recommendation #1 is to change the regulatory floodplain from the 100-year floodplain to the 500-year floodplain (0.2% flood). The comments of the work group indicate that it realizes that expanding the regulatory floodplain to the 500-year floodplain will have serious implications for the citizens of Iowa. The City of Dubuque's primary concern should be the shift to the 500-year floodplain. The National Flood Insurance Program, since its inception, has used the 100-year floodplain as the regulatory floodplain. Citizens have made decisions about the location of their homes and businesses based on this regulatory floodplain. To change this regulatory floodplain at this point in time will have extremely significant impacts on local communities.

The City's current flood insurance rate maps (FIRM) for the Mississippi River and Catfish Creek branches indicate the area inundated by a 500-year flood as Zone X includes the entire Kerper Boulevard and Kerper Court industrial area, the 12th Street Peninsula where Peavey Grain and Koch Materials are located, as well as the north and south Ports of Dubuque. There are some 500-year floodplain areas shown on the City's branches of the Catfish Creek, but these generally are confined to the undeveloped stream valleys themselves.

The City of Dubuque should propose that rather than expand the regulatory floodplain to the 500-year flood event, the State should first look at the effectiveness of regulation within the 100-year floodplain. If 40 years of regulating the 100-year floodplain have not been effective in reducing flood damage, how does expanding these same regulations to the 500-year floodplain improve matters? It is important to note that whether you regulate the 100-year flood or the 500-year flood, current rules allow development within a floodplain as long as it's not in a floodway. A floodway is the portion of the floodplain where flood waters are typically flowing swiftly. Therefore, recommendation #2 reflects current requirements.

The problem is that even if a structure is not structurally damaged by flood water, the cost of rehabilitating the structure often exceeds the financial capability of many property owners. The City of Dubuque should recommend that before the State expands the regulatory floodplain beyond the 100-year flood, that a thorough analysis

be completed regarding the success of regulating property within the 100-year floodplain.

Recommendation #3 would restrict fill in the floodplain to three (3) feet. What is the rationale for this height? It appears to be arbitrary.

Recommendation #4 would exempt areas protected by a certified levee from the 500-year floodplain. City staff support this recommendation, as it exempts our protected riverfront.

The other recommendations of Work Group 1, numbers 5-11, are reasonable in their approach, in terms of flood control levees, the provision for grant programs to help in regulating floodplains, and flood risk education.

Recommendation #12 requires that new Class 1 Critical Facilities should be located outside the 500-year floodplain whenever practical. Class 1 Critical Facilities as defined by the Federal Government include: hospitals, fire and police stations, water and wastewater treatment facilities, and utilities. This is a sensible approach that should be expanded to include other important community assets, such as schools.

Work Group 2: Lowland Focus
Work Group 2 was charged with a lowland focus addressing wetland protection, restoration and reconstruction, conservation easements, and other land management practices. The recommendations in the planning and coordination, non-structural, projects, and educate and inform categories are reasonable. These recommendations would help the State of Iowa to understand the impact of land use on flooding statewide.

Work Group 3: Upland Focus
Work Group 3 was charged with an upland focus that deals with watershed level planning, agricultural practices, land development, and soil and water conservation. The recommendations were found to be appropriate, and if applied, would have a positive impact on flooding through an upland focus, calling for perennial ground cover and other agricultural conservation and water retention practices.

Work Group 4: Stormwater
Work Group 4 was charged with looking at stormwater, and specifically, promulgation and implementation of state-wide stormwater management standards, including pervious pavement, bioswales and other urban conservation practices.

Work Group 4 divided its recommendations between stormwater education, stormwater regulation, and financing. The recommendations for stormwater education appear reasonable and would help in controlling stormwater and flooding in the state.

Recommendation #40 is that the State should require all cities and counties to implement stormwater management practices consistent with the Iowa Stormwater Management Manual (ISMM). They already do through the MS4 NPDES permits. Dubuque's MS4 NPDES Permit required the City to pass an ordinance that, "requires water quality and quantity components be considered in the design of new construction and implemented when practical." The ordinance also must "promote the use of stormwater detention and retention, grass swales, bioretention swales, riparian buffers and proper operation and maintenance of these facilities." These are some of the same practices outlined in the ISMM.

Recommendation #41 would require new and amended NPDES MS4 permits to include BMPs as outlined in the ISMM. The comments on Recommendation #40 above would apply here as well.

Recommendation #42 suggests the State of Iowa should demonstrate its commitment to water quality issues by requiring construction on State property, and any project utilizing State funds to use best practices to retain at least the first inch of rain that falls on the property. The City of Dubuque should support this as an important step that the State of Iowa lead by example and require that best management practices be followed during and for all State projects.

Recommendation #43 is to support and enhance existing funds currently available for stormwater projects. The two funds are the SRF program and the WIRB funds. **ISSUE: These funds are limited to water quality projects. There are no grant or loan funds available for strictly flood mitigation projects.** The City of Dubuque should recommend that stormwater and flood mitigation projects be eligible for these funds, or create a new fund.

Recommendation #44 is to give cities authority to establish a connection fee for stormwater drainage system utility districts based on SF 458. The City should further research how this recommendation could be implemented if this measure passes.

Recommendation #45 gives cities authority to establish a fee system and credit program based on the amount of impervious surface installed. The City of Dubuque already has such a system through its stormwater management utility. City staff's concern here is that there is no mention of how this would be applied – is this a state-wide utility fee program or are they just promoting the establishment of these types of utility fee programs on a City and County level?

Recommendation #46 would expand the authority of the Soil and Water Conservation Districts by allowing them to create watershed districts. As part of this recommendation, the watershed districts would be given the authority to levy taxes to create a sustainable funding source. Of concern is that this action would create a new taxing body, with very little in this recommendation about what authority the watershed districts would have

and how this would apply across existing jurisdictional boundaries. For instance, would the watershed districts pre-empt local jurisdiction control, whether it is City or County? The health of a watershed can best be managed by a watershed board that has jurisdiction over an entire watershed. The City should advocate for a watershed board concept, where this board assumes responsibilities now placed on MS4 cities for managing stormwater and health of a watershed.

The City of Dubuque should recommend the equitable application and enforcement any additional regulations mandated as a result of the WRCC recommendations. Too often cities are "islands of regulation in a sea of unenforcement." The City of Dubuque should stress to the WRCC, the importance of developing regulations and enforcing those regulations equally in populated and rural areas. The standards for development and enforcement are often times higher in cities than in rural communities and unincorporated areas. This puts cities at a disadvantage and consequently promotes sprawl, poor stormwater management and flooding. Regulation often occurs in populated areas, but rural development and farms contribute significantly to local, regional and state stormwater problems and flooding. Responsibility and enforcement needs to be shared by all, not just the larger cities who already are implementing best management practices similar to those outlined in the ISMM.

REQUESTED ACTION
City staff plans to attend one of the public input sessions being held by the WRCC to share the City's position, and requests that the City Council review and concur with staff's position.
Enclosure

Prepared by: Kyle L. Kritz, Associate Planner

cc: Gus Psihoyos, City Engineer
Don Vogt, Public Works Director
Deron Muehring, Civil Engineer II
Kyle Kritz, Associate Planner

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ADDED AFTER COMPILATION:

City of Onawa, 914 Diamond Street, Onawa, Iowa 51040

October 23, 2009

To Whom it May Concern:

RE: HF 756 Flood Plain Management Recommendations

Dear Sir/Madam,

As Mayor of the City of Onawa, I am totally dismayed at the recommendations of the Floodplain Subcommittee Work Group.

Of particular concern and angst is the regulation recommendation #1: Change the regulatory area from the 1% (100 Year) flood plain to .2% (500 year) plain.

The economic consequences of such a change would be devastating to Onawa and other communities on the western side of Iowa as most are in the flats of the Missouri River (Floodway Fringe (FF) Zone) and its related drainages. Western Iowa does not have the rolling terrain of the majority of the rest of Iowa. Because of these geographic differences, the increase of regulatory control would likely apply to a much greater area than in communities east of the Loess Hills.

Obviously Onawa is not the only community in this predicament. Other communities such as Missouri Valley, Whiting, Salix and Sloan are in the Missouri River Valley flats and its related drainages. Of the list of committee members – 20 in all – 18 are from central and eastern Iowa. West-central Iowa's voice was not suitably heard due to a lack of representation on the WRCC Floodplain Subcommittee – Regulation Work Group #1. Of the 2 members from Western Iowa, one is from the Council Bluffs area and the other is from Sioux City.

Before this recommendation is put before the legislature, please consider the severe economic damages that will ensue to Onawa and like communities in West-Central Iowa. As the recommendations now stand, the result would absolutely paralyze any growth potential for our economies and communities. Who in their right mind would want to build in communities with such extreme state regulatory controls?

Sincerely,

Rebecca Tanner, Mayor
City of Onawa

City of **Sergeant Bluff, IA**

401 Fourth Street Sergeant Bluff, IA 51054 (712) 943-4244

October 27, 2009

To Whom it May Concern:

Re: HF 756 Flood Plain Management Recommendations

Dear Sir/Madam:

The City of Sergeant Bluff has reviewed the recommendations developed in response to HF756, and would like to express its appreciation for the work that has been performed and the focus given to the future development and protection of our state's resources. There are a few concerns, though, that we would like to express in regards to some of the components of the recommendation list as well as with the overall impact of the recommendations on the fiscal viability of the state and local units of government.

The first recommendation listed, changing the regulatory area from the 1% (100 year) flood plain to 0.2% (500 year) flood plain, is of particular concern to us as a community as well as to myself individually. At this time, we have no 500 year flood plain maps for our county. In discussions held with the Department of Natural Resources, we have been informed that FEMA maps identifying 500 year flood plains will not be developed for our county until next year at the earliest. Without these maps, we have no way of identifying the potential impact that this recommendation would have. We forcefully and sincerely echo the comment expressed on page 3 of the September 29, 2009 version of the WRCC's Policy Recommendations:

"The geographic boundaries and the economic impacts of delineating the 0.2% flood plain area as the regulated flood plain are currently unknown. A mapping project has been recently initiated that will produce flood maps for the entire state but it will not be completed and approved by FEMA for another five to seven years. The delineation of the 0.2% flood plains and floodways should be completed in order to educate property owners and local communities and to make an informed policy decision. Some in the workgroup believe that the policy decision to move to a 0.2% regulated flood plain should wait until delineation of the 0.2% flood plains and floodways is completed and the impacts of this change analyzed before making a policy decision which will have an impact on the property rights of many Iowans including the value of their property and risk of flood damage."

Asking for public comments on the flood plain set of recommendations is an inherently flawed process until there is knowledge of what the results would be on existing structures and potential future development across the entire state. We humbly request that these recommendations be held in abeyance until we reach a time where members of the public can fully understand the implications of the proposals.

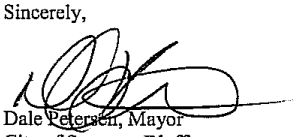
The overall impact of the recommendations from all four workgroups may be very positive in terms of protecting our water quality, and may also be of significant benefit to flood mitigation and protection. Yet, there needs to be some measurement of the potential economic impact of the proposals to ensure that what is recommended is not just theoretically beneficial but also financially feasible. For example, within the recommendations made by the Flood Plain Management and Regulations group (workgroup #1), recommendations #7 and #8 identify recommendations for the state to provide grant assistance for flood levies to local entities that would bear the remainder of the costs. Each workgroup has made several comprehensive recommendations, each with its own (unmeasured) cost component, and several of the groups have made recommendations on how to fund their proposals that are comparable to Workgroup #1's funding mechanism. These funding requirements are being discussed at a time

when Governor Culver has asked for an across the board 10% reduction in general fund expenditures for our current fiscal year, and we are facing a potential $500 million to over $1 billion budget deficit on a $6 billion budget for Fiscal Year 2011.

The thought that the State of Iowa, given their current and anticipated budget constraints, will have the financial wherewithal to fund a major portion of the costs that would result from the implementation of these policy recommendations is not supportable. The majority of these costs would be borne by local communities and individual property owners, all of whom face the same type of budget constraints that are impacting our state as a whole. When Sergeant Bluff, an MS4 community, implements a new building regulation or capital project based on standards imposed by the State of Iowa based on a set of recommendations from the WRCC, there can be a significant financial impact on our local citizens, not just now but for several years to come if debt is incurred. When members of our community are faced with these new costs or limitations, their angst will be directed at us as a community, not at the State of Iowa. They have a right to know that any costs that they will incur are based on thoughtful standards that have taken costs averted into account; there needs to be a definite cost/benefit to analysis to justify the decision.

The City of Sergeant Bluff asks that this cost benefit analysis be performed prior to any recommendations being presented. While the recommendations being discussed are designed to achieve positive goals, presentation of the goals absent a full understanding of both the financial costs and limitations on land that would be imposed by regulation at the 0.2% (500 year) flood plain are foolhardy. Members of the public can make no reasonable evaluation of these recommendations until this is done. The City of Sergeant Bluff respectfully asks that patience be exerted in the development of recommendations, and that the decision-making process be slowed down until complete information is supplied to the constituents of the State of Iowa.

Sincerely,



Dale Petersen, Mayor
City of Sergeant Bluff